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January 23, 2019

BY ECF

Honorable LaShann DeArcy Hall
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Gonzalo Cortes, et al. v. City of New York, et al.,
14-CV-3014 (LDH)(RML)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, and one of the attorneys representing the defendant Sergeant Christopher Musa in the above referenced action. In that capacity, I write jointly with plaintiff's attorneys to respectfully request that the trial in this matter be adjourned.

Following today's conference, the parties discussed the issue of plaintiff's expert, Dr. Stein, and defendant's *Daubert* motion. After careful consideration, the parties now jointly propose that the trial in this matter be adjourned for the purpose of conducting additional, but limited, expert discovery. Specifically, the parties contemplate that plaintiff will file a supplemental expert report from Dr. Stein and, in response, if appropriate, defendant will retain a rebuttal expert and serve his Rule 26(a)(2) disclosures. Thereafter, depositions of each party's respective expert will be conducted. The parties estimate that the remaining expert discovery can be completed within four months.

The parties are mindful of the Court's schedule; however, we believe that a trial on the merits is beneficial to both parties. Accordingly, the parties respectfully request an adjournment of the trial, and all accompanying deadlines, until after this limited additional expert discovery is complete. Given the timing of this request and the fact that the Joint Pre-Trial Order (JPTO) is to be filed today, the parties are attaching the document hereto and respectfully reserve their rights to amend the JPTO pending the resolution of this application and any expert discovery.

Thank you for your consideration in this regard.

Respectfully submitted,

/s/

Erin Teresa Ryan
Assistant Corporation Counsel
Special Federal Litigation

cc: Gabriel Harvis, Esq. (BY ECF)
Raymond Panek, Esq.
Attorneys for Plaintiff

Encl.